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SENSITIVE

FOR U/S GLOBAL AFFAIRS DOBRIANSKY FROM AMB. SULLIVAN
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SUBJECT: TIP AND OUR AGENDA IN ZIMBABWE

REF: HARARE 356

1. (SBU) As the TIP process progresses to conclusion, I wanted to register my serious concern over Zimbabwe's proposed inclusion on Tier 3. As you know, the GOZ's comprehensive maladministration has precipitated ongoing political and economic crises that are exacting a tragic toll on the population. This Embassy has devoted considerable effort to documenting the many dimensions of the growing catastrophe, perhaps most significantly in the area of human rights where we have collaborated with DRL to produce the best product possible. This painstaking documentation has been central to our efforts to effect change here; its integrity is the foundation inside Zimbabwe and outside of our credibility with civil society, the media, the opposition, and elements within the GOZ itself. Lauded by the Department and outside activists alike, the Embassy's submission to the Human Rights Report exemplifies the diligence of our effort and our commitment to hitting hard and on target. Our recent TIP submission (ref) was assembled with the same seriousness of purpose. The Embassy has made no apologies for the GOZ's abysmal record across the board and has been at the forefront of efforts to impose and to expand sanctions targeting the perpetrators of both individual abuses and the crisis generally.

2. (SBU) Against this backdrop, I have two fundamental objections to Zimbabwe's inclusion on Tier 3. First, our extensive contacts with human rights organizations, Churches, law enforcement authorities, and media on the ground here have been unable to substantiate that there is any significant TIP problem here. The existing anecdotal evidence of which we are aware is either dated and/or insufficient to offer any basis for quantification (e.g., one case study of a minor prostitute in the Child and Law Foundation's August 2003 Zimbabwe report). We do know that the various guises of TIP are criminalized under Zimbabwean law. For all their abuses or inaction in political cases, Zimbabwe's police remain responsive on apolitical crimes, such as TIP-related activities. When we have engaged the GOZ on alien smuggling, including in the context of counter-terrorism efforts, the GOZ has been cooperative. They have been cooperative in TIP-related outreach efforts by NGOs, including training workshops. I know that my staff has been feeding details of all this to country desk and to G/TIP staff and trust that the submissions will receive full consideration.

3. (SBU) I am most concerned about the potentially adverse effect that a Tier 3 designation would have on our efforts to address Zimbabwe's other substantial problems -- problems that are only too well-documented and central to the country's deep crisis. Zimbabwe is mired in a highly polarized contest between democratic and authoritarian camps. The USG plays an important role in shaping the intellectual debate inside Zimbabwe and, increasingly significantly, throughout the region over pivotal issues in Zimbabwe's crisis. The Department has countered shrill GOZ propaganda and disinformation with strident criticism on specific, documented problems. The judiciousness of our attacks and our disassociation from sensationalized, unsubstantiated allegations against the GOZ are critical to our credibility with local audiences and with key regional players whose greater involvement we are encouraging. A Tier 3 sanction resting on anecdotal evidence and innuendo would play into the hands of GOZ propagandists and deal a setback to our credibility with domestic and regional audiences.

4. (SBU) The USG is taking on the GOZ on a full gamut of human rights issues -- free and fair elections, press freedoms, politically motivated violence to name a few. The Embassy fully appreciates TIP's important place in our global human rights and law enforcement agenda and will continue to investigate and press TIP-related issues as they come to our attention and in the context of our overall efforts to promote an improved human rights environment here. At this time, however, we are not convinced that Zimbabwe's record to date on TIP justifies a Tier 3 listing. We are concerned that a Tier 3 designation could bring into question our credibility and adversely affect our ability to engage the GOZ and other regional partners. On the basis of the

evidence we have seen, we believe that we would be best served by inclusion of Zimbabwe on Tier 2. If we establish that TIP is a significant problem here we will confront the GOZ with the evidence and seek action, but until we can establish the magnitude of any problem, I strongly urge that Zimbabwe be kept off Tier 3.

SULLIVAN